

Metropolitan General Sessions Court Nashville-Davidson County

"The Court of
First Resort"

2009 ANNUAL REPORT

This Issue

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THE DOCKETS

The Metropolitan General Sessions Court system is committed to excellence in administering justice and is a contributing partner working toward a safe and vital community in Nashville-Davidson County. The Court handles a vast array of cases such as traffic offenses, preliminary hearings on felony and misdemeanor cases, mental health, various alcohol and drug related cases and civil related cases up to \$25,000. It is estimated that the General Sessions Court system processed cases representing over 330,000 litigants in 2009. The following is a general overview of the docket system handled by the Court:

- Criminal Bond
- Felony/Misdemeanor
- Daily Traffic
- Daily Civil
- Daily Driver License/Misdemeanor
- Daily Orders of Protection
- Domestic Violence
- Environmental
- Emergency Committals
- Special Committals
- State Traffic
- Felony Drug
- Mental Health
- Treatment Court

Court Jurisdiction

The Metropolitan General Sessions Court of Nashville-Davidson County serves as a very important "spoke in the wheel" as the basic foundation in the local justice system. It is a high volume limited jurisdiction Court that hears civil, misdemeanor, felony, traffic, environmental, and metropolitan ordinance violations. This court is served by 11 judges that are elected to an eight year term. There are also 5 law-trained judicial commissioners that handle the probable cause hearing's in the issuance of a criminal warrant and 1 referee that handles the environmental cases and other non-traffic metro ordinance violations. For a majority of the citizens, this level of Court will be their only encounter with the state's justice system. Consequently, it has been frequently described as "the court of first resort." The list below shows the area of law under the court's jurisdiction.

- **Criminal**—Cases in which the applicable penalty is no more than 11 months, 29 days; Preliminary Hearing; Amount and conditions of all appearance bonds; Forfeiture of property used in commission of crime; Issuance of search warrants.
- **Civil**—Complaints with a limited value of \$25,000; Orders of Protection; Mental Health (Involuntary Committal); Tuberculosis Treatment (Non-Compliance).
- **Environmental**—Animal control. Housing code violations; Building code violations.
- **Metro Ordinance**—Traffic law violations; All other county ordinance violations.

2009 Case Load Overview

Criminal-Warrants/Citations	103,418
Traffic-Metro/State	143,703
Judicial Committals	6,381
Civil	47,680
Orders of Protection	2,589
Metro & Environmental	6,378
Combined Caseload	310,149

Source: Criminal Justice Planning Office, Criminal & Civil Clerk's Offices

WEB ADDRESS:
WWW.GSCOURT.NASHVILLE.GOV

General Sessions Court Judges

Presiding Judge



Judge Gale Robinson
Division I



Judge Dan Eisenstein
Division II



Administrative Staff

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Suzetta Seymour
Division XI
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Phone: (615) 880-3683



Judge Angelita Dalton
Division III



Judge Gloria Dumas
Division IV



Judge Dianne Turner
Division V



Judge Michael F. Mondelli
Division VI



Judge William E. Higgins
Division VII



Judge Leon Ruben
Division VIII



Judge Sue McKnight Evans
Division IX



Judge Casey E. Moreland
Division X



Judge John Aaron Holt
Division XI

Central Address for All Judges: Justice A.A. Birch Building, 408 2nd
Ave. N., P.O. Box 196300, Nashville, TN 37219



Mental Health Court

The Davidson County Mental Health Court after initially being funded by the Edward Byrne Memorial Grant in 2000, and after its initial inception into the judicial system in January 2001 became the fifth court of its type in the nation. The Mental Health Court over the past couple of years has gone through many changes, both structurally and staffing. The Mental Health Court is currently being presided over by Judge Daniel B. Eisenstein in Division II of the General Sessions Court. Judge Eisenstein, under his tenure has brought great foresight to the Court as well as a wealth of information and knowledge to the Court and its staff.

Over these past years, the mental health community has been in consistent turmoil due to the drastic changes to the State of Tennessee's health care plan known as TennCare. Unfortunately, these changes have directly affected the Mental Health Court. The Court has worked at length to continue to act as a link to assist the stigmatized population that it serves into transitioning from incarceration to productive lives outside of the corrections community.

Throughout this past fiscal year the Mental Health Court has accomplished the following to assist in the continued success of assisting the criminal defendants that it supervises:

Applied for, and was awarded a \$7,000 grant from the Boulevard Bolt through the Davidson County Mental Health Court Foundation.

Continue to utilize the Davidson County Mental Health Court Foundation, a non-profit 501c3 organization, to enhance the court's supplemental needs for its clients.

In a collaborative effort with Judge Seth Norman's drug court, established the nation's first court supervised Transitional Treatment Housing Initiative to provide an inpatient treatment facility to those defendants engaged with the court that suffer from co-occurring disorder that would otherwise be unable to qualify for treatment due to being under and/or uninsured.

Continued to work directly with state representatives and lawmakers to develop legislation to provide mental health services and a continuum of treatment for persons involved with the Davidson County Mental Health Court.

The staff of the Mental Health Court work hard at providing ongoing professional assistance and community linkage to those criminal defendants being supervised by the Court.

Program Manager
Steve Murff

Client Service Specialists
Tonja-Dixon Gilbert
Takisha Woolfolk
Patricia Besleaga

Administrative Assistant
Cynthia Nelson

General Sessions Court Mental Health Court & Treatment Court

Ben West Building,
100 James Robertson Parkway
Suite 100, P.O. Box 196300
Nashville, TN 37219



Treatment Court

The General Sessions Treatment Court was recognized as 1 of 12 State Certified Drug Courts in the State of Tennessee in 2009. Under the direction of Judge Casey Moreland, certain drug offenders who have been arrested for nonviolent offenses are given opportunities to participate in a three-phase supervised rehabilitation program. They come on their own accord, because the program is available only to those who want help for their addiction. Treatment Court meets each Wednesday at 2:00 p.m. in Courtroom 4D of the Justice A.A. Birch Building.

Since its inception, the number of those opting for the treatment program has grown significantly to 70 active participants. The court offers an intensive and lengthy program, requiring from 12-18 months to successfully complete. Some find the rules too rigid and opt to serve jail time for their original offenses. Others subject themselves to electronic monitoring, four-times-a-week drug testing, alcohol monitoring and half-way house residency while taking classes in anger management, life skills and job readiness. Classes are also offered to those wishing to earn their GED diplomas. In 2009, the county realized a 2.0 million savings in incarceration fees with participants logging 33,488 days in alternative jail time.

There are numerous members of the Treatment Court team who play key roles in the recovery of each participant. In addition to Judge Moreland, members of the team include Probation Officers, Public Defender, District Attorney, Case Managers, Electronic Monitoring, the Davidson County Sheriff's Department, the Metro Police Department and several treatment providers around the Nashville area.

2009 Activity Total

Participants from 01/01/09 to 12/31/09	151
Referrals from 01/01/09 to 12/31/09	173
Active Participants	70
• Phase One (41)	
• Phase Two (11)	
• Phase Three (18)	
Graduates	22
Participants in Half-way House	35
Participants on Electronic Monitoring	8
Participants in Inpatient Treatment	5
Participants Terminated from Program	32
Outstanding Warrants	23
Drug Free Babies in Treatment Court	2

Program Manager
Scott Ross

Probation Officers
Jimmy Waggoner
Scott Yates

Administrative Assistant
Sutton Nelson



Environmental Court

When disputes arise over enforcement of the county's environmental codes, the issues are brought before Special General Sessions Referee Jim Todd, who presides over a weekly Environmental Court Docket. The docket was created in October 2001 to address Metro Code violations pertaining to buildings, trash and debris in neighborhoods and business sites, as well as leash law cases involving nuisance complaints about barking dogs, at-large or vicious dogs.

A double docket call is held each Wednesday at 1:00 p.m. and 2:30 p.m. in Courtroom 5D of the Justice A.A. Birch building. Environmental, police and animal control violation cases are heard at the 1:00 p.m. time slot with civil and environmental warrants being addressed at 2:30 p.m. The combined Metro and Environmental caseload for 2009 was 6,378. Of that number 4,799 were citations for both Environmental and Metro violations and 1,579 issued through the civil clerk's office. Todd was appointed referee of the court in 2007 by Division IV Judge Gloria Dumas. He is a graduate of Memphis School of Law and previously worked for Sen. Albert Gore (1984-1989) for whom he served as assistant campaign manager during the 1998 presidential election. Additionally, he served as executive director of the Tennessee Sports Festival under former Gov. Ned McWherter (1989-1991.) Prior to entering private law practice in 2005, he was an assistant district attorney general for 12 years.



Referee Jim Todd



Judicial Commissioners

Five judicial commissioners—each possessing the qualifications of a judge—comprise what is known collectively as "Night Court," a viable and productive extension of the General Sessions Court. The identifying label is derived from the fact that the commissioners preside over proceedings that take place after normal business hours. But it is misleading in that the panel is actually on duty 24 hours a day, 365 days a year, serving a broad range of functions relevant to the criminal justice process.

In addition to their other job responsibilities, the commissioners:

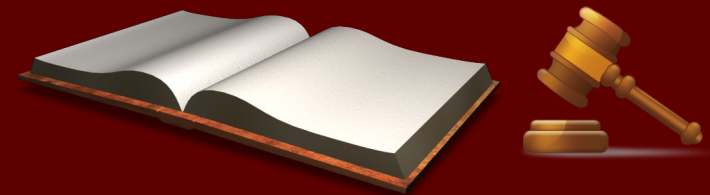
- Conduct probable cause hearings, issue warrants and set bail bonds in criminal cases
- Determine probable cause for judicial committals from county psychiatric facilities
- Issue Ex Parte Orders of Protection, as well as warrants for violations of such orders
- Issue property seizure warrants upon probable cause

Each commissioner is appointed by the court for a one-year term that dictates seven-day work weeks and alternating eight-hour work shifts with no annual leave, sick time or holiday leave time.

Activity for the 2009 Reporting Period

Warrants & Summons Issued	57,055
Conditions of Release/Orders	73,733
Emergency Committals	6,381
Mittimus for Appearance	78,067
Ex Parte Orders of Protection	2,589
Parole Violations	318
Order of Protection	1,178
Property Seizure Hearings	1,317

Source: Criminal Justice Planning Office, Criminal & Civil Clerk's Offices



Commissioner
Howard Taradash



Commissioner
Carolyn Phipus



Commissioner
Thomas Nelson



Commissioner
Steve Holzapfel



Commissioner
Evan Harris

**Night Court
Commissioner's Office**

Phone: (615) 862-8304



Court Administrator
Warner C. Hassell



Assistant to the
Administrator
Gina Fox

MAILING ADDRESS

General Sessions Court
Administration Office

Justice A.A. Birch
408 2nd Ave. N.
Suite 1140
P.O. Box 196300
Nashville, TN 37219



Security Officer
Coordinator
Capt. Donnie
Dixon



Administrative
Assistant
Angie Von Mann

Assistant Security Officer
Coordinator
Lt. Chris Edmondson

Administration Office

According to the Metro Charter, the office of the court administrator assists the presiding judge with the improvement in the efficiency and operation of the Metropolitan General Sessions Court. These duties, include but are not limited to, the following: budget and fiscal management, personnel management, office automation management, manage multiple courtrooms' digital recording system, assist in resolving court facility issues, court interpretative services coordination, manage supplemental court security personnel, and preparation of the annual report.

Overview of Principal Services

- Daily manage the Court's budget for FY 2010 of \$10,379,700 with a total of 109 court personnel
- Review, oversee, and/or process various Metro Electronic Business system transactions:
 - Over 1,000 payment transactions totaling \$550,000;
 - Over 2,000 revenue transactions totaling \$2.3 million
 - Over 150 separate payroll, human resources, and employee benefit related transactions for a \$6.8 million payroll
- The estimated number of Metro government and court related emails received and acted upon by all services: Over 34,000
- The estimated number of total phone calls handled in 2009 by all services: Over 14,000
- Number of in-court language interpretations coordinated from over 324 email requests: 8504
- Provide supplemental security in the public hallways and in courtrooms:
 - Over 275,000 litigants were monitored
 - Serious security related incidents reported- 26
- Manage Master Calendar for all Courtrooms for special hearings/events: 127
- The number of web e-mails received from the public and acted upon: 163
- The number of General Services work orders submitted by the Court Administration office: 185
- The number of Americans with Disabilities Act (ADA) accommodations made: 22
 - 19 Criminal docket related
 - 3 Civil and/or Traffic related
- Number of work related injuries and illness claims managed: 2

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Language Interpretations



Court Interpreter
Coordinator
Delma Aguilar

Tennessee Supreme Court Rule 41 was promulgated to assist the courts in providing equal access to participants who have limited ability to speak or understand the English language. It is the responsibility of the court to determine whether a participant in a legal proceeding has limited ability to understand and communicate in English. In 2009 the General Sessions Court's language interpreter coordinator scheduled 8,504 total court interpretations with 8,256 of those requiring Spanish interpretations. That computes to an average of 709 court interpretations monthly. The predominant foreign languages involved include Spanish, Arabic, Vietnamese, Laotian, Korean, Chinese, Kurdish and Somali.

Technology Report

Information Services handled the following requests for the year 2009:

- Helpdesk Phone Calls: 4,008
- Helpdesk Emails: 7,257
- Helpdesk Request Walk-ins: 1,059



Information Technology
Service Representative
Rick Fair



Information Systems
Application Analyst II
Brad Freeman



Traffic Safety Education

Written by: John Slate, Director

On-line Enrollments

2009 was the third full year of the on-line program operation. 17,967 persons enrolled in traffic schools on-line, totaling \$1,167,855 in revenue. For the first year since its inception, the on-line school did not exceed the total number of persons who enrolled in live classes. This is attributed to the DLR enrollment, since that class is not offered on-line.

E-Commerce, Point of Sale and Customer Service

In 2009, the "Link 2 Gov" became the sole vendor for both on-line and walk-in credit card users. The convenience fee was changed from a flat fee of \$1.99 to 2.35%. This reduced the average amount that traffic school students pay to \$1.52, saving them \$0.47 per enrollment transaction. No amount of that fee goes to Metro Government. New for 2010 will be the upgrade to a consolidated "point-of-sale" process that utilizes the current OTS software. By upgrading the on-line registration and scheduling system, we will be able to retire the previously used "Cashier for Windows" software that was supported by an outside vendor. This means that the Traffic School database will be internally supported by the Metro ITS department who developed the original OTS software. The consolidation of the payment processes will be less complicated and allow staff to process payments at the counter faster. On the horizon for 2010 is the development of an IVR phone system that will enable students to enroll and pay for any class over the phone through an automated process. This will reduce the number of calls received by staff, so that personal consultation can be devoted to resolving customer issues and answering on-line user questions. In 2009 an extended phone menu was deployed that allows customers to get immediate answers to their most commonly asked questions and tips on accessing the on-line classes.

Traffic Safety Courses

- **FIRST OFFENDER (FOT, 2-Hour)** —a two-hour curriculum covering traffic safety rules and consequences, including laws on seat belts, child restraint, speeding, DUI and most commonly committed traffic offenses.
- **DEFENSIVE DRIVING (DDC4, 4-Hour)**—certified by the National Safety Council, this course teaches the importance of safety belts and other restraints, dangers of speeding, proper following distance and effects of alcohol and drugs.
- **DEFENSIVE DRIVING (DDC8, 8-Hour)** —a more intensive version of the 4-hour course with emphasis on preventing traffic deaths and injuries.
- **ALIVE AT 25 (A25, 4-Hour)**—designed to reduce risk-taking behavior of young people 15-24 years of age and utilizes video tapes and group discussions.
- **COACHING THE MATURE DRIVER (CMD, 4-Hour)** —a curriculum designed in a group format for adult drivers ages 55 and older, focusing on current laws and the natural deterioration of physical abilities, such as night blindness.
- **ATTITUDINAL DYNAMICS OF DRIVING (ADD8, 8-Hour)** —an intense 8-hour curriculum in group format that addresses mental health and attitude as they affect the ability to safely operate a vehicle.
- **DRIVERS LICENSE REINSTATEMENT CLASS (DLR, 2-HOUR)** — a tutorial class, utilizing the students own driving history, state reinstatement letter. The purpose of the class is to devise a viable plan of action for each student to follow. Since each legal situation is unique, the plans are custom written for each individual. Ongoing counseling is offered for individuals who have a combination of both state and county fees to satisfy before reinstatement.



Address for Traffic School

Justice A.A. Birch Building, 408 2nd Avenue North, Suite
1130, P.O. Box 196300, Nashville, TN 37219

MEMBER

The National Safety Council & NSC International Advisory
Committee; and The American Society for Public Admini-
stration (ASPA)



Jan-Dec 2008-2009 Enrollment Comparison

	2008	2009
Defensive Driving (4-Hour)	7,581	6,914
Defensive Driving (8-Hour)	1,821	2,897
First Offender (2-Hour)	17,135	15,143
Alive @ 25 (4-Hour)	4,742	4,054
Attitudinal Dynamics	736	703
Coaching the Mature Driver	490	317
Drivers Lic. Reinstatement	715	7240
TOTALS	33,220	37,268



Probation & Electronic Monitoring

Ben West Building
100 James Robertson Parkway
Suite 10, P.O. Box 196300
Nashville, TN 37201

Written by: Les Mondelli, Director

The Metropolitan General Sessions Court's Probation Department, the supervising/monitoring arm of the courts, has been in operation since 1977. Since that time much has changed in relation to technology, law, caseloads, staffing and the manner of supervision of clients. The agency has grown from 13 officers, 1 director and 2 clerical staff to 22 officers, 2 electronic monitoring officers, 4 supervisors, 1 director and 3 clerical staff.

Caseloads have steadily increased over the years with individual caseloads currently averaging 340 per officer. The majority of cases (53%) are DUI or driving related offenses involving alcohol or drugs. Other offenses include, but are not limited to, domestic violence, simple possession or paraphernalia, theft of property, simple assault and trespass.

Drug testing, in-house assessments, electronic monitoring (including GPS and remote alcohol testing) prove to be useful tools to make supervision more effective. With the exception of in-house assessments the above mentioned programs are fee generating thus reducing the overall cost of the programs to the city.

Alcohol and drug assessments by licensed counselors are provided at no charge. Assessments whether in-house or out sourced to other public and private agencies identify individuals needing more information (education) or help (referral to counseling) with alcohol and drug issues. Educational or program referrals become a part of a clients conditions of probation to enable them to make positive changes in their lives. There are more than 5,000 individuals, including DUIs, referred to for alcohol and drug assessments each year.

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Total Case Load	6,700
In-House A&D Assessments	379
Number Referred to Treatment	316
Drug Tests Administered	7,070
Drug Test Fees Collected	\$40,400
Electronic Monitoring Annual Caseload	540
Electronic Monitoring Monthly Average	45
Electronic Monitoring Fees Collected	\$59,190
Restitution Collected	\$145,500
Public Service Work Hours Performed	80,000
Probation Supervision Fees Collected	\$724,500
Length of Probation Totals	7,467
11 Months/ 29 Days	5,003
6 Months	2,197
Other	267
Average Caseload/Officer	340

Dispensing Justice One Case At a Time...



Judge Leon Ruben



Judge Michael F. Mondelli



Judge Dianne Turner



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Judge William E. Higgins



Judge John Aaron Holt



Judge Angelita Dalton



Judge Gale Robinson



Judge Sue McKnight Evans

Dispensing Justice One Case At a Time...

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To request an
accommodation, call
(615) 862-5199

OTHER RELATED DEPARTMENTS

Traffic Violations Bureau	(615) 862-5222
Criminal Court Clerk's Office	(615) 862-5601
Civil Court Clerk's Office	(615) 862-5195
Metro Environmental Court	(615) 862-5219
Sheriff's Department	(615) 862-8170
District Attorney General's Office	(615) 862-5500
Public Defender's Office	(615) 862-5730

INTERNET SERVICES

WEB ADDRESS: WWW.GSCOURT.NASHVILLE.GOV

Information regarding all services of the General Sessions Court can be found on-line at www.gscourt.nashville.gov. For information regarding civil cases, the address is circuit-clerk.nashville.gov. For information regarding criminal matters, the address is www.ccc.nashville.gov. From there, you can link to such topics as court dockets, judges' schedules, local rules, fees and downloadable forms.